

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICHARD DEEDS,

Plaintiff,

v.

ROMEO ARANAS et al.,

Defendants.

3:14-cv-138-RCJ-WGC

ORDER

I. DISCUSSION

On April 28, 2014, this Court issued a screening order dismissing Plaintiff's deliberate indifference to serious medical needs claims (Counts I and II), with prejudice, because Plaintiff had disagreed with physicians about the course of treatment he should receive. (ECF No. 7 at 3-5). The Court found that Plaintiff had stated a colorable claim for due process violations (Count III). (*Id.* at 6-7).

On April 21, 2014, Plaintiff filed a motion for preliminary injunction. (ECF No. 6). Plaintiff requested that defendants be enjoined from discontinuing the codeine and low-fat diet that he currently received. (*Id.* at 5).

Injunctive relief, whether temporary or permanent, is an "extraordinary remedy, never awarded as of right." *Winter v. Natural Res. Defense Council*, 555 U.S. 7, 24 (2008). "A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." *Am. Trucking Ass'ns, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir. 2009) (quoting *Winter*, 555 U.S. at 20). Furthermore, under the Prison Litigation Reform Act ("PLRA"),

1 preliminary injunctive relief must be “narrowly drawn,” must “extend no further than necessary
2 to correct the harm,” and must be “the least intrusive means necessary to correct the harm.”
3 18 U.S.C. § 3626(a)(2).

4 The Court denies Plaintiff’s motion for preliminary injunction. Pursuant to the screening
5 order, Plaintiff fails to state claims for deliberate indifference to serious medical needs. As
6 such, Plaintiff cannot establish that he is likely to succeed on the merits of his Eighth
7 Amendment claims.

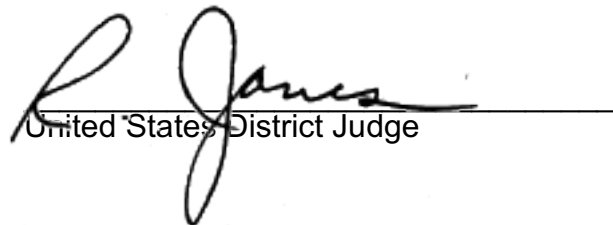
8 The Court also denies as moot Plaintiff’s request that the Court file his civil rights
9 complaint. (ECF No. 9). The Clerk of the Court filed Plaintiff’s complaint on April 28, 2014.
10 (See ECF No. 8).

11 **II. CONCLUSION**

12 For the foregoing reasons, IT IS ORDERED that the motion for preliminary injunction
13 (ECF No. 6) is DENIED.

14 IT IS FURTHER ORDERED that the motion to file the civil rights complaint (ECF No.
15 9) is DENIED as MOOT.

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17 Dated: This 9th day of July, 2014.

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20 United States District Judge
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